

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JANE DOE #1, JANE DOE #2,
JANE DOE #3, JOHN DOE #1
*individually, and on behalf of all
others similarly situated,*

Plaintiffs,

v.

WELLSTAR HEALTH SYSTEM,
INC.,

Defendant.

Case No. 1:24-cv-01748-JPB

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs Jane Doe #1, Jane Doe #2, Jane Doe #3, and John Doe #1 respectfully submit this notice of supplemental authority in further support of their Response in Opposition to Defendant's Motion to Dismiss Amended Complaint (ECF No. 27), which is currently pending before the Court. Plaintiffs hereby notify this Court of a recent district court decision within the Eleventh Circuit that denied a defendant's motion to dismiss for similar reasons to those raised by Plaintiffs in their Opposition. *See W.W. v Orlando Health, Inc.*, No. 6:24-cv-1068-JSS-RMN, 2025 WL 722892 (M.D. Fla., Mar. 6, 2025) (attached as **Exhibit A**).

Relevant to Plaintiffs' claims asserted in the instant matter, the *Orlando Health* Court denied the motion to dismiss claims for violation of the federal Wiretap Act (as amended by the Electronic Communications Privacy Act (ECPA), 18 U.S.C. § 2511(1)), unjust enrichment, and breach of implied contract. *Id.* at *6-7 & 10-11. In addition, while the court granted the motion to dismiss regarding the intrusion upon seclusion claim, the court dismissed that claim without prejudice and granted plaintiff leave to amend her complaint. *Id.* at *8-10.

Plaintiffs further maintain that Defendant's Motion to Dismiss should be denied in its entirety.

Date: March 13, 2025

Respectfully submitted,

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**pro hac vice admission*

*** pro hac vice to be sought*

*Counsel for Plaintiffs & the Proposed
Class*

LR 5.1(C) FONT COMPLIANCE CERTIFICATION

The undersigned counsel certifies that the within and foregoing was prepared using Times New Roman 14-point font in accordance with Local Rule 5.1 of the United States District Court for the Northern District of Georgia.

This 13th day of March, 2025

**PEIFFER WOLF CARR KANE
CONWAY & WISE, LLP**
/s/ Andrew R. Tate

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March 2025, I caused a true and correct copy of the foregoing motion to be filed with the Clerk of the Court via the Court's CM/ECF system, which will send notification of such filing to the counsel of record in the above-captioned matter.

**PEIFFER WOLF CARR
KANE CONWAY & WISE, LLP**

/s/ Andrew R. Tate
*Counsel for Plaintiffs & the Proposed
Class*